STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15376(TP324/2023)
Our File Reference Number: Erf 14903, Stellenbosch
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [redacted]

Sir / Madam

APPLICATION FOR PERMANENT DEPARTURE ON ERF 14903, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 Application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-law, October 2015 for a permanent departure for the relaxation of the street building line from 2m to 0m and the common building line from 1.5m to 0m to permit a raised deck on Erf 14903, Stellenbosch;

BE APPROVED in terms of Section 60 of the said By-law.

2.2 The approval is subject to the following conditions imposed in terms of Section 66 of said By-law:

2.2.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Stellenbosch Municipality or other legislation or by-laws or regulations that may be applicable.

2.2.2 The development must be undertaken generally in accordance with the referenced Site Plan with Drawing No. A101 and dated 09/26/22 and East and West Elevations Plan with Drawing No. A104 and dated 02/16/23, both drawn by Laryssa Prins Architects, attached as **Annexure B.**

2.2.3 Building plans must be generally in accordance with the referenced Site Plan with Drawing No. A101 and dated 09/26/22 and East and West Elevations Plan with Drawing No. A104 and dated 02/16/23, both drawn by Laryssa Prins Architects, attached as **Annexure B.**

2.2.4 Conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 23/06/2023 and comment dated 28/07/2023, and attached as **Annexure E**, be complied with.

3. The reasons for the above decision are as follow:

3.1 The encroachment of the building lines does not undermine the residential character of the area and will have no impact on the approved onsite parking layout.

4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

5. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

a. The personal particulars of the Appellant, including:
   i. First names and surname
   ii. ID number
   iii. Company of Legal person's name (if applicable)
   iv. Physical Address
   v. Contact details, including a Cell number and E-Mail address

5.1 Reference to this correspondence and the relevant property details on which the appeal is submitted.

5.2 The grounds of the appeal which may include the following grounds:
   i. that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
   ii. grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

5.3 Whether the appeal is lodged against the whole decision or a part of the decision.

5.4 If the appeal is lodged against a part of the decision, a description of the part.

5.5 If the appeal is lodged against a condition of approval, a description of the condition.

5.6 The factual or legal findings that the appellant relies on.

5.7 The relief sought by the appellant.

5.8 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

5.9 That the appeal includes the following declaration by the Appellant:
   i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

ii. That the Appellant is aware that it is and offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za.

7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

8. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za

9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
   (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
   (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
   (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
   (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

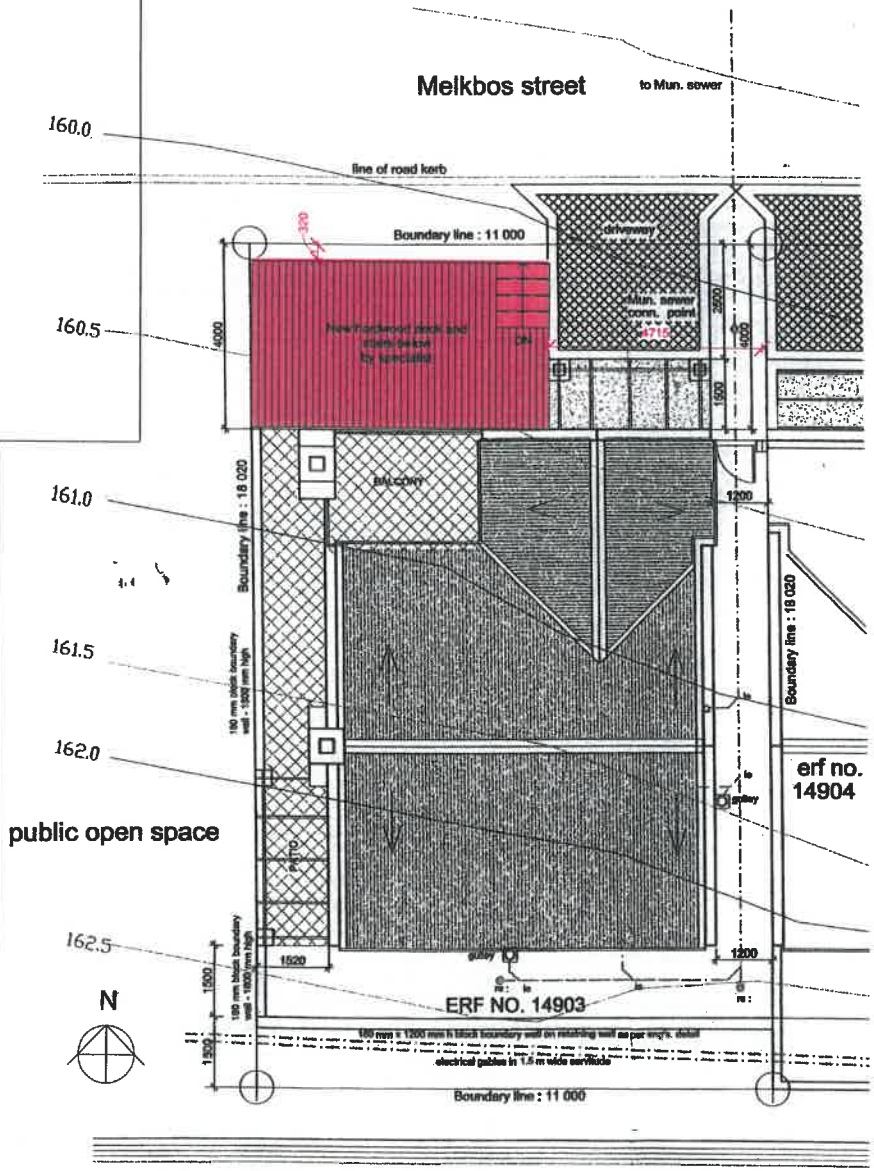
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

DATE: 24/11/2023

ANNEXURE B

SITE PLAN

Rev	Description	Date



PROJECT IDENTIFICATION:

ADDRESS:	**25 Melkbos Street, Welgevonden**
ERF:	**14903**
ZONING:	**GROUP HOUSING**
SITE AREA:	**198m²**

AREAS:

GROUND FLOOR AREA	- 81.00M²
EXISTING PATIO	- 11.00M²
NEW DECK AREA	- 24.00M²
FIRST FLOOR AREA	- 79.00M²
BALCONY	- 9.00M²
TOTAL RESIDENCE AREA	- 160.00M²
TOTAL COVERAGE AREA	- 90.00M²
TOTAL COVERAGE (%)	- 45.5%

COUNCIL NOTES

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STRUCTURAL DESIGN:
3.IF NO STRUCTURAL ENGINEER HAS BEEN APPOINTED ACCORDING TO FORM 1 THE STRUCTURAL SYSTEM TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400 PARTS H,J,K,L,M or N AND IN THE CASE OF TIMBER BUILDINGS WITH SANS 10082.

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2.MASONARY WALLS TO BE PLASTERED AND PAINTED UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS.

Client
Marco & Louise van Coller

Project
New timber deck addition - 25 Melkbos street, Welgevonden Erf 14903

Drawing
Site Plan

Scale	Size	Date	Drawn
1 : 100		09/26/22	LT
Project Number	**Drawing No.**		**Revision No.**
	A161		

Date & Time printed: 2023/02/16 17:46:57

WELGEVONDEN ESTATE

Estate Manager
Gawie Marx

Estate Review Architect
Francois Malan

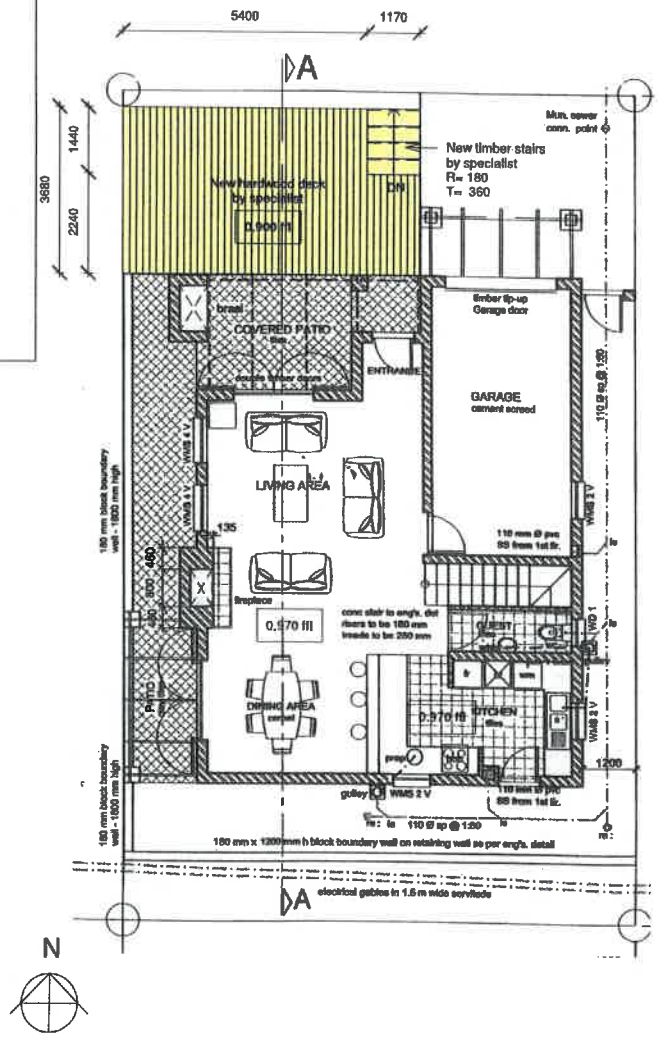
Date of approval: October 2022

SITE FLOOR PLAN Welgevonden Boulevard

LARYSSA PRINS ARCHITECTS
PrArch33056092
75 Welgevonden Boulevard, Welgevonden
Stellenbosch

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Client
Marco & Louise van Coller

Project
New timber deck addition - 25 Melkbos street, Welgevonden Erf 14903

Drawing
Ground Storey Plan

Scale	Size	Date	Drawn
1 : 100		02/16/23	LT
Project Number	Drawing No. A102		Revision No.

Date & Time plotted: 2023/02/16 17:46:57

WELGEVONDEN ESTATE

Estate Manager
Gawie Marx

Estate Review Architect
Francois Malan

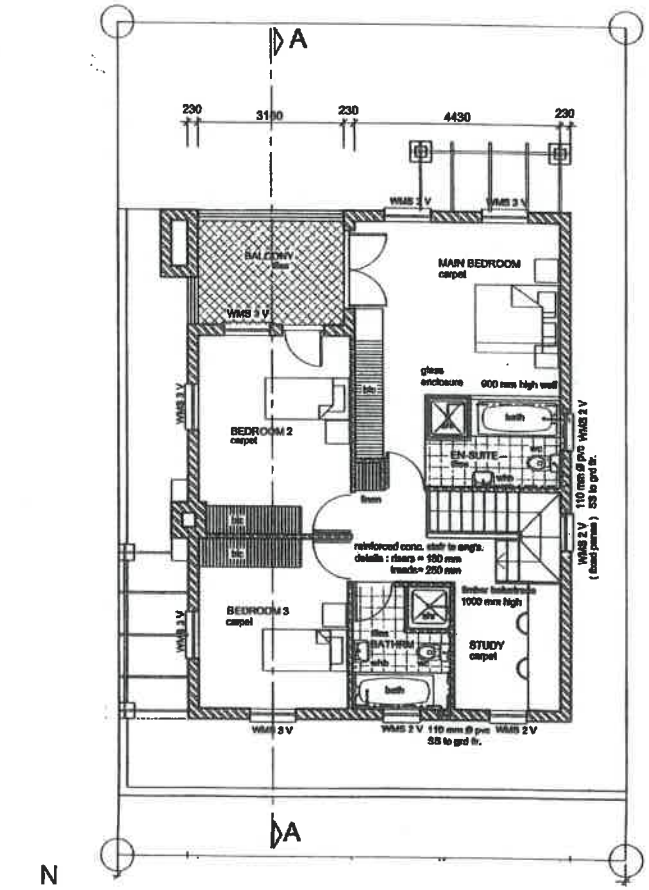
Date of approval: October 2022

1 00 Ground Storey Plan
1 : 100

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Stellenbosch

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Rev	Description	Date



N

1 01 First Storey Plan

1 : 100

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Client
Marco & Louise van Coller

Project
New timber deck addition - 25 Melkbos street, Welgevonden Erf 14903

Drawing
First Storey Plan

Scale	Size	Date	Drawn
1 : 100		02/16/23	LT
Project Number	Drawing No. A103		Revision No.

Date & Time printed: 2023/02/16 17:46:57

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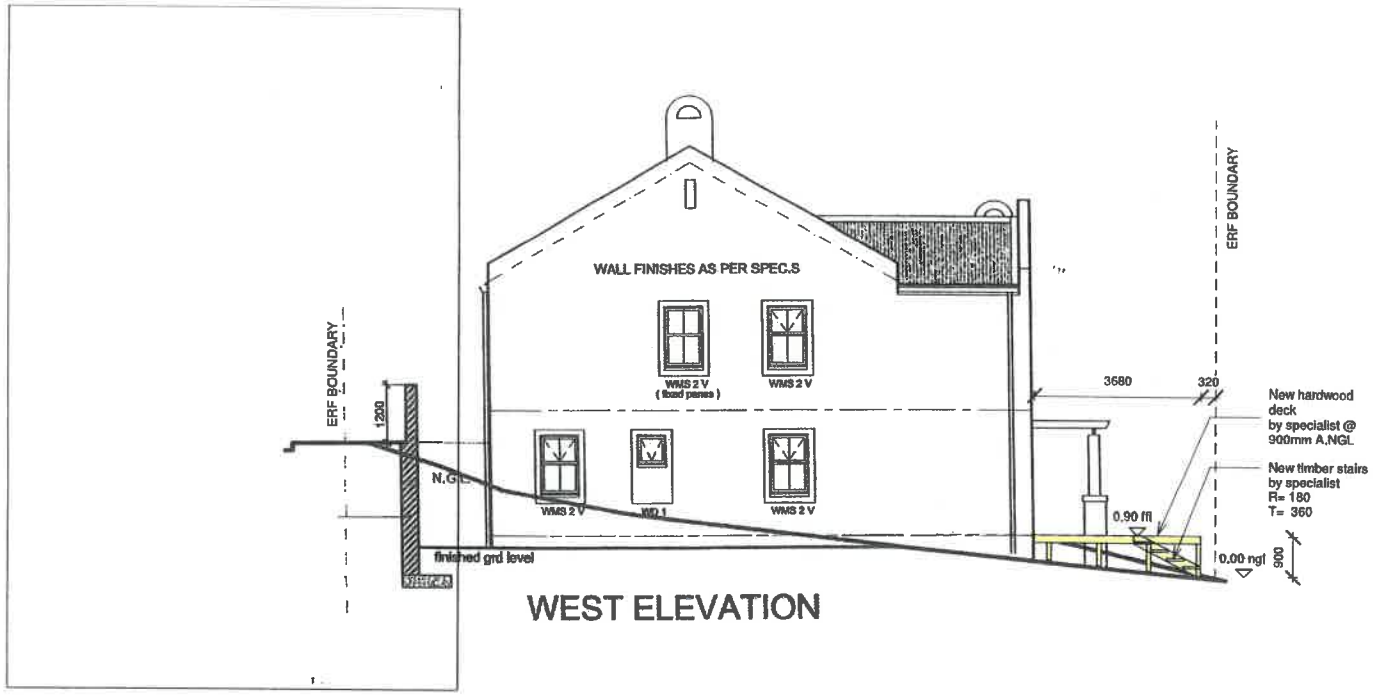
Estate Manager
Gawie Marx

Estate Review Architect
Francois Malan

Date of approval: October 2022

LARYSSA PRINS ARCHITECTS
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75 Welgevonden Boulevard, Welgevonden
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WEST ELEVATION



EAST ELEVATION

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WELGEVONDEN ESTATE

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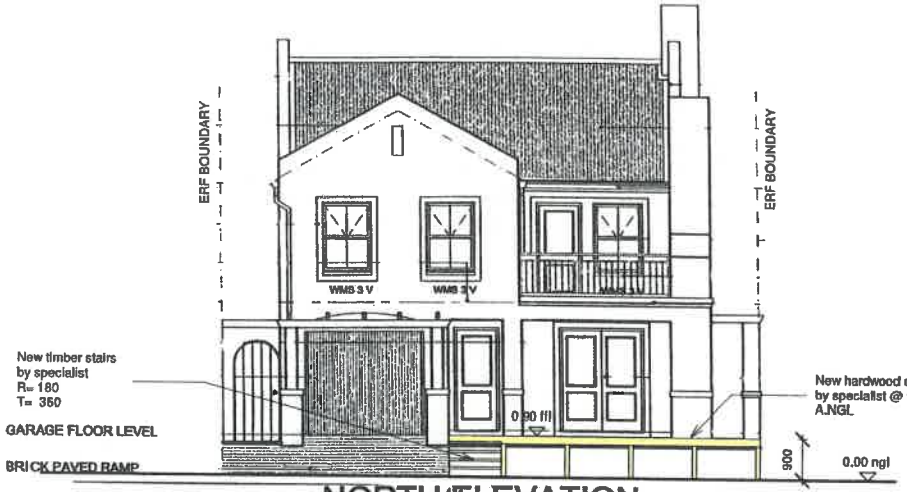
Drawing
East and West Elevations

Scale	Size	Date	Drawn
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Project Number	Drawing No. A104		Revision No.

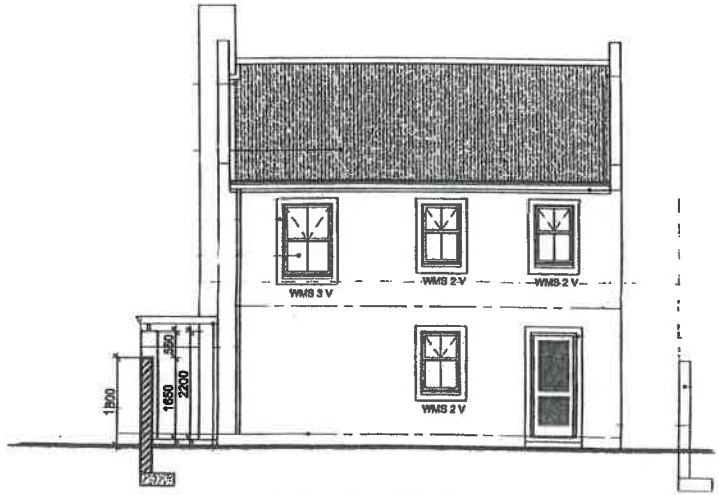
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LARYSSA PRINS ARCHITECTS
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NORTH ELEVATION



SOUTH ELEVATION

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2.ALL CLAY MASONRY OR CONCRETE BLOCK WALLS TO BE CONSTRUCTED IN STANDARD SIZE CLAY BRICKS OR STANDARD SIZE CONCRETE BLOCKS.

ROOFS:
1.ROOF COVERINGS,WATERPROOFING SYSTEMS, AND FLAT ROOFS,GUTTERS AND DOWN PIPES TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-L AND SANS 10400-R UNLESS OTHERWISE SPECIFIED FORM 1
2.FIRE RESISTANCE AND COMBUSTIBILITY OF ROOF AND CEILING ASSEMBLY TO COMPLY WITH FIRE ENGINEER'S REQUIREMENTS UNLESS OTHERWISE SPECIFIED IN FORM 1.

HEALTH & PUBLIC SAFETY:
1.CHANGES IN LEVEL, RAMPS AND DRIVEWAYS, AND ACCESS TO SWIMMING POOLS TO COMPLY WITH SANS THE DETAIL REQUIREMENTS OF SANS 10400-D UNLESS OTHERWISE SPECIFIED IN FORM 1
2.STOREROOMS & DISCONNECTING LOBBIES TO ALL TOILETS TO BE INDEPENDENTLY AND ADEQUATELY LIT & VENTILATED IN COMPLIANCE WITH SANS 10400-O.
3.THE MEANS FOR PROVIDING FACILITIES FOR PEOPLE WITH DISABILITIES IS IN ACCORDANCE WITH SANS 10400-S UNLESS OTHERWISE SPECIFIED IN FORM 1

DRAINAGE & STORMWATER:
1.DRAINAGE SYSTEM TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-P UNLESS OTHERWISE SPECIFIED IN FORM 1.
2.STORMWATER DISPOSAL TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-R UNLESS OTHERWISE SPECIFIED IN FORM 1.

MATERIALS AND FINISHES:
1.MATERIALS AND FINISHES AS INDICATED ON THE DRAWINGS, MATERIAL NOTES AND/OR FINISHES SCHEDULES
2.MASONARY WALLS TO BE PLASTERED AND PAINTED UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS.

Client
Marco & Louise van Coller

Project
New timber deck addition - 25 Melkbos street, Welgevonden Erf 14903

Drawing
North and South Elevations

Scale	Size	Date	Drawn
1 : 100		02/16/23	LT
Project Number	Drawing No. A105		Revision No.

Date & Time printed: 2023/02/16 17:46:58

WELGEVONDEN
ESTATE

Estate Manager
Gawie Marx

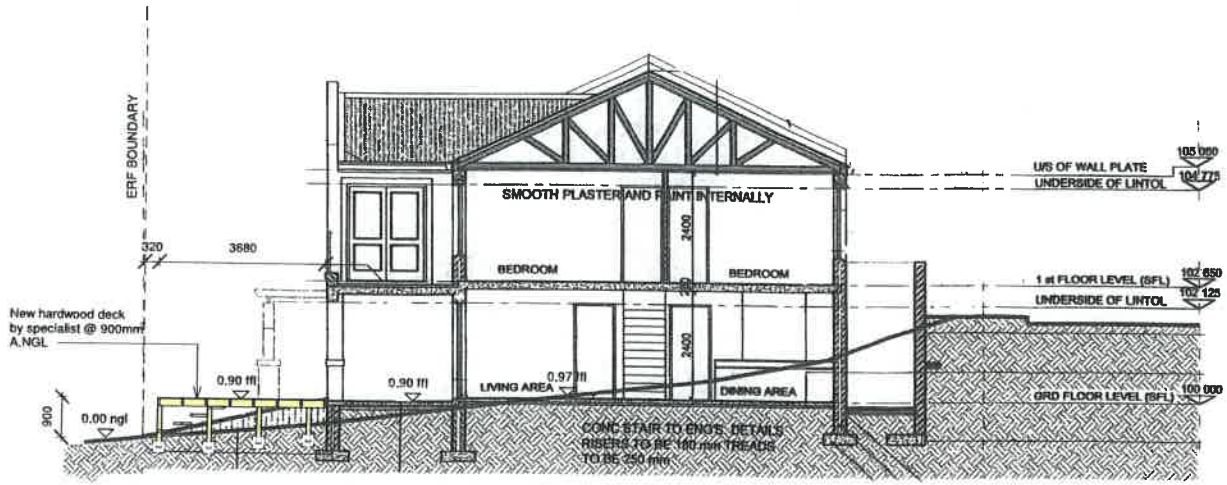
Estate Review Architect
Francois Malan

Date of approval: October 2022

LARYSSA PRINS ARCHITECTS
PrArch33056092
75 Welgevonden Boulevard, Welgevonden
Stellenbosch

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Rev	Description	Date



SECTION A-A

WELGEVONDEN
ESTATE

Estate Manager
Gawie Marx

Estate Review Architect
Francois Malan

Date of approval: October 2022

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COUNCIL NOTES

GENERAL:
1.ALL WORK TO BE DONE IN ACCORDANCE WITH SANS 10400
2.SANS 10400 TO BE SATISFIED PER MEANS SPECIFIED IN SCHEDULE A AND B, SANS 10400-A: FORM 1.
3.DO NOT SCALE, REFER ONLY TO FIGURED DIMENSIONS.
4.ALL LEVELS, DIMENSIONS, GRADIENTS AND STEPS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.

STRUCTURAL DESIGN:
3.IF NO STRUCTURAL ENGINEER HAS BEEN APPOINTED ACCORDING TO FORM 1 THE STRUCTURAL SYSTEM TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400 PARTS H,J,K,L,M or N AND IN THE CASE OF TIMBER BUILDINGS WITH SANS 10082.

SITE OPERATIONS:
1.PROVISION OF SANITARY FACILITIES DURING CONSTRUCTION TO COMPLY WITH THE DETAIL REQUIREMENTS OF SANS 10400-D. SUBMIT PROPOSAL TO THE ARCHITECT FOR APPROVAL.

FOUNDATIONS:
ALL FOUNDATIONS ACCORDING TO STRUCTURAL ENGINEER'S DESIGN UNLESS OTHERWISE SPECIFIED IN FORM 1.
ALL DEEP FOOTINGS, SOIL RAFTS COMPACTION AND SUB-SURFACE DRAINAGE ACCORDING TO CIVIL ENGINEER'S DETAILS UNLESS OTHERWISE SPECIFIED IN FORM 1.

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Client
Marco & Louise van Cofler

Project
New timber deck addition - 25 Melkbos street, Welgevonden Erf 14903

Drawing
Section A-A

Scale	Size	Date	Drawn
1 : 100		02/16/23	LT
Project Number	Drawing No. A106		Revision No.

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LARYSSA PRINS ARCHITECTS
PrArch33056092
75 Welgevonden Boulevard, Welgevonden
Stellenbosch

ANNEXURE E

COMMENTS RECEIVED

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att ▫ Aandag:	**Salome Newman**
From ▫ Van:	**Principal Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Kurt Titus**
Date ▫ Datum:	**23 June 2023**
Our Ref ▫ Ons Verw:	**Civil LU 2513**
Your Ref:	**LU/15376**
Re ▫ Insake:	**Erf 14903, Stellenbosch: Application in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for a permanent departure for the relaxation of the street building line from 2m to 0m and the common building line from 1.5m to 0m to permit a raised deck on Erf 14903, Stellenbosch.**

The above-mentioned application for a permanent departure is recommended for **approval**. Relating to all municipal civil engineering services that are unaffected, with no objections.

The approval is subject to the following condition:

The precise location of the erf connection points for both water and sewer, should be indicated on a site layout plan when submitting for building plans approval.

ktitus

KURT TITUS
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

Erf 14903

1. No Objection

CONDITIONS:

2. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.



Signature

28/07/2023

Date